



## **COUNCIL CHAMBERS**

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

### **REDEVELOPMENT AGENCY**

Dennis Kennedy, Chair  
Hedy L. Chang, Vice-Chair  
Larry Carr, Agency  
Greg Sellers, Agency Member  
Steve Tate, Agency Member

### **COUNCIL MEMBERS**

Dennis Kennedy, Mayor  
Hedy Chang, Mayor Pro Tempore  
Larry Carr, Council Member  
Greg Sellers, Council Member  
Steve Tate, Council Member

**WEDNESDAY, FEBRUARY 26, 2003**

## **AGENDA**

### **JOINT MEETING**

### **REDEVELOPMENT AGENCY REGULAR MEETING**

**and**

### **CITY COUNCIL SPECIAL MEETING**

**7:00 P.M.**

***A Special City Council Meeting Is Called at 7:00 P.M. for the Purpose of Conducting Closed Sessions and City Business.***

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**Dennis Kennedy, Mayor**

### **CALL TO ORDER**

(Chairperson/Mayor Kennedy)

### **ROLL CALL ATTENDANCE**

(Agency Secretary/City Clerk Torrez)

### **DECLARATION OF POSTING OF AGENDA**

**Per Government Code 54954.2**

(Agency Secretary/City Clerk Torrez)

**7:00 P.M.**

**SILENT INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

Jennifer Donn, Northern California Gymnastics State Champion  
*Jennifer & Vivian Donn*

**OTHER REPORTS**

**PUBLIC COMMENT**

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.**

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME  
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND  
PRESENT IT TO THE DEPUTY CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE  
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY  
COUNCIL/REDEVELOPMENT AGENCY.**

## ***Redevelopment Agency Action***

**CONSENT CALENDAR:**

**ITEM 1**                      The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

**Time Estimate**

**Page**

**Consent Calendar: 1 - 10 Minutes**

1.     **JANUARY 2003 FINANCE AND INVESTMENT REPORT..... 1**  
      **Recommended Action(s): Accept and File Report.**

## *City Council Action*

### **CONSENT CALENDAR:**

#### **ITEMS 2-7**

	<b>Time Estimate</b>	<b>Page</b>
	<b>Consent Calendar: 1 - 10 Minutes</b>	
2.	<b><u>APPROVAL OF CONTRACT FOR INTERIM MAINTENANCE SUPERVISOR</u></b> ..... <b><u>Recommended Action(s):</u></b> 1. <b><u>Approve</u></b> the agreement.; and 2. <b><u>Authorize</u></b> the City Manager to Execute a Contract to Continue the Contract Services of an Interim Maintenance Supervisor.	<b>11</b>
3.	<b><u>APPROVE CONSULTANT AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES ON THE AQUATICS COMPLEX</u></b> ..... <b><u>Recommended Action(s):</u></b> <b><u>Authorize</u></b> the City Manager to Execute a Consultant Agreement with Nova Partners, Inc. for a Total Fee Not to Exceed \$427,000, Subject to City Attorney Approval.	<b>21</b>
4.	<b><u>EMERGENCY EXPENDITURE FOR REPLACEMENT OF PUMP AND MOTOR AT DIANA WELL NO. 1</u></b> ..... <b><u>Recommended Action(s):</u></b> 1. <b><u>Adopt</u></b> Resolution No. 5649, Declaring the Need for This Emergency Expenditure; and 2. <b><u>Approve</u></b> the Expenditure of \$30,000 for Emergency Purchase and Installation of Replacement Pump and Motor at Diana Well No. 1.	<b>33</b>
5.	<b><u>EXTEND APPOINTMENT TERMS FOR CURRENT ARCHITECTURAL AND SITE REVIEW BOARD (ARB) MEMBERS</u></b> ..... <b><u>Recommended Action(s):</u></b> 1. <b><u>Extend</u></b> the Terms of Office for Architectural Review Board Members James Fruit, Rod Martin, and Jerry Pile to June 1, 2003; and 2. <b><u>Direct</u></b> the City Clerk to Notify the Architectural Review Board Members of the Term Extension.	<b>37</b>
6.	<b><u>ANNUAL MOBILE HOME PARK SPACE FEES</u></b> ..... <b><u>Recommended Action(S):</u></b> <b><u>Direct</u></b> Staff To Accept Mobile Home Rent Commission Recommendations To Bill For Uncollected Mobile Home Park Space Fees For The Years 2000 And 2001, Forgiving Year 1999; And To Provide Relief To Park Owners For The Resident Portion Of The Fee They Will Not Be Able To Pass On To Tenants No Longer Living In The Park, With Documentation.	<b>39</b>
7.	<b><u>APPROVE SPECIAL CITY COUNCIL MEETING MINUTES OF FEBRUARY 19, 2003</u></b> .....	<b>43</b>

### *Redevelopment Agency Action and City Council Action*

**OTHER BUSINESS:**

## Time Estimate

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8. **60 Minutes** **DRAFT CITY COUNCIL AND REDEVELOPMENT AGENCY 2003 GOALS**.....45

**Recommended Action(s):**

1. **Consider** Draft Goal Statements, Revise as Necessary; and

2. **Adopt** Goals for 2003.

### *Redevelopment Agency Action and City Council Action*

**CLOSED SESSION:**

**1.**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

### Significant Exposure/Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 2

2.

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Legal Authority: Government Code Section 54965.9(a)

Case Name: Morgan Hill Unified School District v. Minter & Fahy

Case No.: Santa Clara County Superior Court, No. CV 772368

Attendees: City Council, City Manager, City Attorney, Mark Strombotne,  
Special Counsel

**3.**

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Authority: Government Code section 54956.9(a)

Case Name: City of Campbell et al. v. CalPERS

Case Number: OAH 5119

Attendees: City Attorney, City Manager

## **OPPORTUNITY FOR PUBLIC COMMENT**

**ADJOURN TO CLOSED SESSION**

**RECONVENE**

## CLOSED SESSION ANNOUNCEMENT

**FUTURE COUNCIL-INITIATED AGENDA ITEMS:**

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

## ADJOURNMENT